

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

CASSIE McKENZIE, )  
Petitioner, )  
v. ) Nos: 3:07-cr-051  
UNITED STATES OF AMERICA, ) 3:08-cv-230  
Respondent. ) (PHILLIPS/SHIRLEY)

**JUDGMENT ORDER**

In accordance with the accompanying Memorandum, the motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255 is **DENIED** and this action is **DISMISSED**. All other pending motions are **DENIED**. Should the petitioner give timely notice of an appeal from this decision, such notice will be treated as an application for a certificate of appealability, which under the circumstances is **DENIED**. The court **CERTIFIES** that any appeal from this action would not be taken in good faith and would be totally frivolous. Therefore, this court hereby **DENIES** the petitioner leave to proceed in forma pauperis on appeal.

**ENTER:**

s/ Thomas W. Phillips

United States District Judge

ENTERED AS A JUDGMENT

s/ Patricia L. McNutt

CLERK OF COURT